

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

THOMAS ALLEN HALE,

Plaintiff,

v.

Case No. 22-cv-10580
Hon. Matthew F. Leitman

MICHAEL BOUCHARD et al.,

Defendants.

/

**ORDER ADOPTING RECOMMENDED DISPOSITION OF REPORT AND
RECOMMENDATION (ECF No. 24) AND DISMISSING ACTION FOR
FAILURE TO UPDATE ADDRESS AND FAILURE TO PROSECUTE**

In this action, Plaintiff Thomas Allen Hale asserts claims arising out of certain acts and omissions that allegedly occurred while he was incarcerated at the Oakland County Jail. The assigned Magistrate Judge issued an order requiring Hale to update his address (ECF No. 16), but he failed to do so. The Magistrate Judge thereafter issued a Report and Recommendation suggesting that the Court dismiss the action based upon Hale's failure to update his address and failure to prosecute. (*See* R & R, ECF No. 24.) At the end of the R & R, the Magistrate Judge instructed Hale that he needed to file objections within fourteen days. (*See id.*) Hale has not filed any objections. The failure to object to an R&R releases the Court from its duty to independently review the matter. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985). Likewise, the failure to file objections to an R&R waives any further right to appeal.

See Howard v. Sec'y of Health and Human Servs., 932 F.2d 505 (6th Cir. 1991);
Smith v. Detroit Fed'n of Teachers Local 231, 829 F.2d 1370, 1373 (6th Cir. 1987).

Accordingly, **IT IS HEREBY ORDERED** that:

1. The disposition recommended in the Report and Recommendation is
ADOPTED; and
2. This action is **DISMISSED** for failure to update address and failure to prosecute.

IT IS SO ORDERED.

s/Matthew F. Leitman

MATTHEW F. LEITMAN

UNITED STATES DISTRICT JUDGE

Dated: March 21, 2023

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on March 21, 2023, by electronic means and/or ordinary mail.

s/Holly A. Ryan

Case Manager

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